MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): May I know whether the Chief Engineer was present when the committee members were present in Kalkulam and the representatives of the public made a representation about the transfer of the Division Officer, Nagercoil?

DEPUTY PRESIDENT: You need not answer that question Mr. Westerdale. It is irrelevant Mr. Kesava Pillai.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*): The President and the Chief Engineer are the same.

DEPUTY PRESIDENT: That is alright.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): May I know whether the meetings of the committee were held only in the headquarters of the taluks?

MR. J. S. WESTERDALE (*Chief Engineer*): No. I can give the member if necessary, a list of the places where meetings were held. They were not all in headquarters.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): In how many of such meetings was the Cheif Engineer present?

MR. J. S. WESTERDALE (*Chief Engineer*): Out of 22 meetings I was present at 10.

DEPUTY PRESIDENT: May I take it that the House sanctions the grant?

The grant was made.

LEGISLATION FINAL READING OF THE TRAVANCORE FOOD ADULTERATION BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The next item in the agenda is the final reading of the Travancore Food Adulteration Bill.....

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Sir, I rise to a point of order. The provisional list of legislative business has been communicated to the members only on the 1st April 1931. That is the date which the letters bear when they were issued out of the Huzur Office. Therefore the dates on which they were received by the members must be much later. Under Standing Order 3 (*b*) we are entitled to 14 clear days' notice for any business to be transacted before this House. From the date of the letters communicated to the members it is clear that there is no 14 clear days' notice and this matter has been mooted in this House on the 26th of April 1929 when Mr. A. G. Menon wanted permission to introduce his Kanapattom Bill. Then the matter was discussed in this House on two days, after which the matter has been allowed for the consideration of the President for 3 days. On the 3rd day the President gave a ruling which contains in part 9 of the Legislative Council Proceedings Volume XIV that the matter cannot be considered. On the basis of that provisional ruling I say, all these Bills cannot be taken into consideration on the ground of want of notice.

DEPUTY PRESIDENT: What do you say, Mr. Madhavan?

MR. C. O. MADHAVAN (*Secretary to the Legislative Council*): The provisional list was sent on the 1st April.

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MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Under Standing Order 5 (*b*) 'clear days' is defined.

DEPUTY PRESIDENT: But the day of the meeting is not included.

Mr. Asan drew my attention to the definition of clear days. It says in the computation of clear days Sundays and holidays are not excluded. But the day of the meeting and the day of the receipt of notice by the Secretary are excluded. Day of notice is 1st April. The contention is that there are 14 days.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): How?

DEPUTY PRESIDENT: Provisional list requires only 14 clear days.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): To-day is the 15th April.

DEPUTY PRESIDENT: Standing Order 3 (*b*) runs as follows:—

'The Secretary shall at least fourteen clear days before the date fixed for each meeting send to every member a provisional list of legislative business to be brought forward at such meeting. After sending such provisional list the Secretary shall send to every member a statement of the business to be transacted at such meeting so as to reach his permanent or Trivandrum address at least three days before the date of each meeting'.

The question is whether there has been 14 days.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Suppose we exclude the 1st April?

DEPUTY PRESIDENT: Where is the provision for excluding that date?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not accept that contention.

DEPUTY PRESIDENT: According to you Mr. K. P. Nilakanta Pillai I understand 15th April should be excluded and then there are only 13 days and you say that according to Standing Order the list of business should not be taken to have been duly sent in the light of the ruling.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Yes.

DEPUTY PRESIDENT: But the earlier ruling is that the date of the notice should be excluded.

MR. A. THANU PILLAI (*Trivandrum*): If the Law Member intends to answer to this point of order I wish to know what the comparative benefit which the members receive if the letter is dated 1st April and when the letter is expected to reach a member at Parur?

DEPUTY PRESIDENT: I will give you a chance of speaking on the question.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The only point on which I propose to reply just now is about the interpretation of the term 'clear days'. Standing Order 2 (13) defines clear days as follows:—

'In the computation of 'clear days' Sundays and holidays are not excluded; but the day of the meeting and the day of receipt of notice by the Secretary are excluded.'

In this case "the day of receipt of the notice by Secretary" does not obviously arise. The only day to be excluded therefore is the date of

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the meeting. If that is excluded we have 14 clear days. That is all in regard to the interpretation of 'clear days.'

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What does the Law Member mean by 'date of notice'?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Day of receipt of notice by the Secretary.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): So, it does not apply to the case where notice has to be issued by the Secretary?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It cannot.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): What is the intention of the Legislature in regard to that?

DEPUTY PRESIDENT: There is no use your going into the intention of the Legislature. Strict grammatical interpretation is against you. Is there any ruling that the date of issue of notice shall also be excluded, Mr. Paramesvaran Pillai?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Not that I can think of just now.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): അമൻഡുമെൻറ്സിൻെറ താഴെ നോട്ടീസ് ൻ-ർ-ഫൻസ് ഫ ലാണ കിട്ടിയതു് എന്നു എഴുതിയിട്ടുണ്ടു്. അവ വാദപ്രതിവാദത്തിനു വരുമ്പോഠം ആദിവസത്തെ നോട്ടീസില്ല എന്നു തടസ്സം പറഞ്ഞേക്കാൻ ഇടയുണ്ടു്. ഒരുകൊണ്ടു് ഈ പോയിൻറു് ആഫ് ഓർഡറിൻെറ ആലോചനയിൽ ആ ഭാഗംകൂടി ചേർത്തു ആലോചിച്ചാൽകൊള്ളാം.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Point of order is not relevant to the issue at hand.

MR. L. R. RAJA RAJA VARMA KOIL TAMPURAN (*Changanachery* cum *Peermade*): Yes. It is important to the issue at hand.

DEPUTY PRESIDENT: I believe you want me to give a decision on something distinct but connected according to you.

Mr. Asan, can you give me any specific ruling which says the date of the issue of notice by Secretary shall be excluded in computing the period of 14 days?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The point has been raised in the proceedings I have quoted. The Law Member while addressing the non-official members on that point conceded that the Deputy President's opinion on that point is of great value.

DEPUTY PRESIDENT: He is not estopped by any opinion that he expressed as a member of the House.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does it refer to interpretation of 'clear days'?

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DEPUTY PRESIDENT: The question then was whether 14 days' notice was to be given. I do not think this question about the date of issue of notice was specifically raised then.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The discussion did not deal with the exact date. But then again it was a question of a day or two.

MR. A. THANU PILLAI (*Trivandrum*): It was also a similar case. Is it not clear from the proceedings of the House that the prerogatives of the rights of the House should be kept intact and 14 days' clear notice should be given?

DEPUTY PRESIDENT: I concede that the privileges of the House should be upheld.

MR. A. THANU PILLAI (*Trivandrum*): Is it the only question before the House whether the day of notice should be excluded or not?

DEPUTY PRESIDENT: Yes that is it. If you could help me I can give a ruling. There is no use in appealing to analogy in interpreting a statute. I rule the objection out of order.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I have to say a word. It is quite clear from the proceedings to which reference was made.

The notice was issued on the 10th and the meeting was convened on the 24th.

DEPUTY PRESIDENT: Therefore you say that the date of the meeting should not be excluded, and then it would only be thirteen days. However I have given my ruling, Mr. Thanu Pillai.

MR. A. THANU PILLAI (*Trivandrum*): I said that the date of the meeting was the 24th. It was in fact the 25th.

DEPUTY PRESIDENT: I am proceeding on statements of fact given by you. You said that the notice was dated the 10th and the day of the meeting was the 24th.

MR. A. THANU PILLAI (*Trivandrum*): It was not the 24th but the 25th of April 1929.

DEPUTY PRESIDENT: Did the Council meet on the 24th?

MR. A. THANU PILLAI (*Trivandrum*): Yes.

I should like to know what is meant by the expression 'clear days.'

DEPUTY PRESIDENT: That is defined.

MR. A. THANU PILLAI (*Trivandrum*): It is true and on that I wish to say a few words. In standing order No. 2 clause 13, it is said that in the computation of clear days Sundays and holidays are not excluded but the day of the meeting is excluded.

DEPUTY PRESIDENT: Before you proceed further will you just refer me to the particular ruling that was given on the 24th of April? The notice was issued in that case on the 10th. The meeting began on the 24th. The date of the meeting should be excluded according to the rules. Therefore there were only 13 days then. Any how I have given my ruling and it is no use proceeding further. I have ruled the objection out of order.

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MR. A. THANU PILLAI (*Trivandrum*): Therefore am I not allowed to speak, Sir, on that subject ?

DEPUTY PRESIDENT: No, it is too late.

THE TRAVANCORE FOOD ADULTERATION BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The motion that I want to make is the motion for the final reading and passing of the Travancore Food Adulteration Bill. But before I make that motion I want to make a formal motion in regard to the short title of the Bill which is now put as the Travancore Food Adulteration Bill 110." A blank is left there for the insertion of a figure in order to indicate the year in which the Regulation is passed. I move that the figure "6" be added to the figures "110."

MR R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second the motion.

The motion was passed.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I now beg to move that the Bill be finally read and passed.

MR. T. K. MADHAVAN NAYAR (*Ag. Secretary to Government*): I second the motion.

The Motion was passed.

AMENDMENT TO THE CIVIL PROCEDURE CODE.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The next item in the agenda is the final reading of Rule 5 (1) of Order No. IX in the Schedule attached to the Civil Procedure Code, which was amended by the High Court and subsequently approved by the Council. I beg to move that Rule 5 (1) of Order No. IX in the Schedule attached to the Civil Procedure Code as amended be finally read and passed.

MR. C. O. MADHAVAN (*Secretary to Government*); I second the motion.

The Motion was carried.

THE REVENUE RECOVERY REGULATION AMENDMENT BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to present the report of the Select Committee on the Travancore Revenue Recovery Regulation Amendment Bill, and beg to move that the Bill as reported be taken up for consideration.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second the motion.

The motion was carried.

MR. A. THANU PILLAI (*Trivandrum*): I gave notice of a single amendment, Sir, and that has been split up into two.

DEPUTY PRESIDENT: What is the objection in having 'means and includes' as the first amendment?

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